

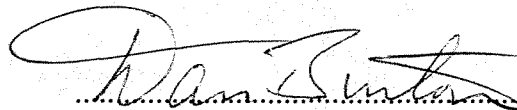
**By Authority of the House of Representatives of the
Congress of the United States of America**

To United States Department of Justice Serve: Attorney General John Ashcroft

You are hereby commanded to produce the things identified on the attached schedule before the
full Committee on Government Reform
of the House of Representatives of the United States, of which the Hon. Dan Burton
Dan Burton is chairman, by producing such things in Room 2157 of the
Rayburn Building , in the city of Washington, on
September 11, 2001, at the hour of 5:00 PM

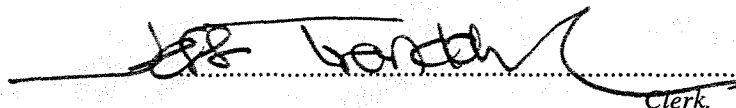
To Danleigh Halfast or US Marshals Service
to serve and make return.

Witness my hand and the seal of the House of Representatives
of the United States, at the city of Washington, this
6th day of September, ~~10~~ 2001



Chairman.

Attest:


Clerk.

Subpoena for U.S. Department of Justice

Serve: Attorney General John Ashcroft

Tenth Street & Constitution Avenue N.W.

Washington, D.C. 20530

before the Committee on the

Government Reform

Served

House of Representatives

SCHEDULE A

Subpoena Duces Tecum
Government Reform Committee
United States House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515

United States Department of Justice
Serve: Attorney General John Ashcroft
Tenth Street & Constitution Avenue N.W.
Washington, D.C. 20530

The Committee hereby subpoenas certain records. Please provide logs which indicate each record's Bates number, author, description, and source file. If you have any questions, please contact Chief Counsel James C. Wilson at (202) 225-5074.

Definitions and Instructions

(1) For the purposes of this subpoena, the word "record" or "records" shall include, but shall not be limited to, any and all originals and identical copies of any item whether written, typed, printed, recorded, redacted or unredacted, transcribed, punched, taped, filmed, graphically portrayed, video or audio taped, however produced or reproduced, and includes, but is not limited to, any writing, reproduction, transcription, photograph, or video or audio recording, produced or stored in any fashion, including any and all activity reports, agendas, analyses, announcements, appointment books, briefing materials, bulletins, cables, calendars, card files, computer disks, cover sheets or routing cover sheets, drawings, computer entries, computer printouts, computer tapes, external and internal correspondence, diagrams, diaries, documents, electronic mail (e-mail), facsimiles, journal entries, letters, manuals, memoranda, messages, minutes, notes, notices, opinions, statements or charts of organization, plans, press releases, recordings, reports, Rolodexes, statements of procedure and policy, studies, summaries, talking points, tapes, telephone bills, telephone logs, telephone message slips, records or evidence of incoming and outgoing telephone calls, telegrams, telexes, transcripts, or any other machine readable material of any sort whether prepared by current or former employees, agents, consultants or by any non-employee without limitation. "Record" or "records" shall also include all other records, documents, data and information of a like and similar nature not listed above.

(2) For purposes of this subpoena, the terms "refer" or "relate" and "concerning" as to any given subject means anything that constitutes, contains, embodies, identifies, mentions, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.

(3) This subpoena calls for the production of records, documents and compilations of data

and information that are currently in your possession, care, custody or control, including, but not limited to, all records which you have in your physical possession as well as any records to which you have access, any records which were formerly in your possession, or which you have put in storage or anyone has put in storage on your behalf. Unless a time period is specifically identified, the request includes all documents to the present.

(4) The conjunctions "or" and "and" are to be read interchangeably in the manner that gives this subpoena the broadest reading.

(5) No records, documents, data or information called for by this subpoena shall be destroyed, modified, redacted, removed or otherwise made inaccessible to the Committee.

(6) If you have knowledge that any subpoenaed record, document, data or information has been destroyed, discarded or lost, identify the subpoenaed records, documents data or information and provide an explanation of the destruction, discarding, loss, deposit or disposal.

(7) When invoking a privilege as to any responsive record, document, data or information as a ground for withholding such record, document, data or information, list each record, document, compilation of data or information by data, type, addressee, author (and if different, the preparer and signatory), general subject matter, and indicated or known circulation. Also, indicate the privilege asserted with respect to each record, document, compilation of data or information in sufficient detail to ascertain the validity of the claim of privilege.

(8) This subpoena is continuing in nature. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date shall be provided immediately upon location or discovery subsequent thereto.

Subpoenaed Items

Please produce to the Committee the following records.

1. All records related to decisions either to prosecute, or refrain from prosecuting, Stephen Flemmi, including, but not limited to, records relating to decisions to prosecute, or refrain from prosecuting Flemmi for the bombing assault on attorney John Fitzgerald. Please exclude all records drafted in anticipation of, or subsequent to, the 1995 indictment of Stephen Flemmi.
2. All records related to decisions either to prosecute, or refrain from prosecuting, James J. "Whitey" Bulger. Please exclude all records drafted in anticipation of, or subsequent to, the 1995 indictment of James J. "Whitey" Bulger.
3. All records related to decisions either to prosecute, or refrain from prosecuting, Joseph Barboza.

4. All records related to decisions either to prosecute, or refrain from prosecuting, Vincent J. "Jimmy the Bear" Flemmi.
5. All records related to decisions either to prosecute, or refrain from prosecuting, Raymond L. S. Patriarca.
6. All records related to decisions either to prosecute, or refrain from prosecuting, Gennaro Angiulo.
7. All records related to decisions either to prosecute, or refrain from prosecuting, Theodore J. Sharliss, a.k.a. James Chalmas.
8. All records related to decisions either to prosecute, or refrain from prosecuting, Joseph "J.R." Russo.
9. All records related to decisions either to prosecute, or refrain from prosecuting, H. Paul Rico. Please exclude all records prepared by the Justice Department Task Force led by John Durham.
10. All records related to decisions either to prosecute, or refrain from prosecuting, John Connolly, Jr. Please exclude all records prepared by the Justice Department Task Force led by John Durham.
11. All records related to decisions either to prosecute, or refrain from prosecuting, John Morris.
12. All records related to decisions to prosecute Francis P. Salemme for the bombing assault on attorney John Fitzgerald.
13. All records related to decisions to prosecute, or to refrain from prosecuting, Robert Daddeico.
14. Any report or memorandum by Robert Conrad recommending the appointment of a special counsel to investigate campaign fundraising matters, and all memoranda drafted in response to Mr. Conrad's memorandum, including any replies or rebuttals by Mr. Conrad.
15. All declination memoranda relating to Mark E. Middleton.